

AMENDMENT UNDER 37 C.F.R. §1.111
USSN: 09/688,187

REMARKS

Claims 1-34 are all the claims pending in the application.

Claims 1, 3, 4, 7-9, 11 and 15-19 have been amended. Claims 1, 3, 4, 9 and 15-19 have been amended to further clarify Applicants' claimed invention. Claims 7 and 8 have been rewritten in independent form and thus should be allowable based on the Examiner's statement that these claims would be allowable if rewritten in independent form.

Claims 6 and 34 have been cancelled without prejudice or disclaimer.

New claims 35-51 have been added to provide additional scope of coverage.

Claim Objections

The Examiner objects to claim 14 because of an alleged informality. Specifically, the Examiner suggests that the word "that" in the last line be changed to "if." Applicants respectfully disagree with the Examiner's suggestion because the claim, as currently drafted, is technically correct.

Prior Art Rejections

The Examiner has rejected claims 1, 4, 9-11, 15-21, 24, 27, 28 and 31 under 35 U.S.C. § 102(a) as being anticipated by Hilton et al. (U.S. Patent No. 6,158,837). Applicants traverse these rejections because Hilton et al. fails to disclose all the limitations of the claims. Specifically, Hilton et al. fails to disclose at least the following limitations:

Claim 1:

if the recording apparatus executes the subsequent print operation upon input of the continuation instruction by the user, ***the recording apparatus generates the caution again after a predetermined amount is printed.***

Claim 4:

print control means, which reads the data from the storage means of the ink cartridge to determine compatibility when the ink cartridge is mounted, which, if compatible, *stores the data read from the storage means of the ink cartridge in the update data storage means and controls the ink jet recording head based on the data in the storage means of the ink cartridge, which, if incompatible and data is available from the update data storage means, executes print operation based on the data available from the update storage means, and which if incompatible and no data is available from the update data storage means, executes print operation based on the data in the default data storage means.*

Claims 9, 11, 18 and 19:

wherein the user guide data *includes at least one of an address and a telephone number* which a user can use to order or buy the compatible ink cartridge.

Claim 15:

generating the caution again after a predetermined amount is printed if the recording apparatus executes the subsequent print operation upon input of the continuation instruction by the user.

Claim 16:

storing the data read from the storage means of the ink cartridge in the update storage means and controlling the ink jet recording head based on the data in the storage means of the ink cartridge if the ink cartridge is compatible;

executing print operation based on the data available from the update storage means if the ink cartridge is incompatible and data is available from the update storage means; and

executing print operation based on data stored in default data storage means if the ink cartridge is incompatible and no data is available from the update storage means.

Claim 17:

wherein the general-purpose drive condition is set such that *pressure for ejecting an ink droplet from the recording head is set larger than the optimum drive condition* and that the record paper feed speed is set lower than the optimum drive condition.

AMENDMENT UNDER 37 C.F.R. §1.111
USSN: 09/688,187

Also, regarding claims 1 and 15, Applicants note that on page 11 of the Office Action, the Examiner concedes that the prior art of record does not disclose generating the caution each time a predetermined amount is printed. Regarding claims 9, 11, 18 and 19, Applicants note that on page 11 of the Office Action, the Examiner concedes that the prior art of record does not disclose the user guide data including contact addresses and phone numbers. Regarding claim 17, Applicants note that on page 11 of the Office Action, the Examiner concedes that the prior art of record does not disclose setting the pressure higher for the general purpose drive condition.

Regarding claims 10, 20, 21, 24, 27, 28 and 31, these claims should be allowable at least based on their dependence from claims 4, 9, 11, 16, 18 or 19, for at least the reasons described above.

The Examiner has rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Hilton et al. in view of Myung. Applicant traverses this rejection because the cited references fail to disclose all of the claim limitations. Specifically, claim 3 depends from claim 1. Therefore, it should be allowable for at least the reasons described above in connection with claim 1.

The Examiner has rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Hilton et al. in view of Bullock et al. Applicant traverses this rejection because the cited references fail to disclose all of the claim limitations. Specifically, claim 5 depends from claim 4. Therefore, it should be allowable for at least the reasons described above in connection with claim 4.

The Examiner has rejected claims 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Hilton et al. in view of Hashimoto and Cowger. Applicant traverses these

AMENDMENT UNDER 37 C.F.R. §1.111
USSN: 09/688,187

rejections because the cited references fail to disclose all of the claim limitations. Specifically, claims 12 and 13 depends from claim 11. Therefore, it should be allowable for at least the reasons described above in connection with claim 11

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Carl J. Pellegrini
Registration No. 40,766

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 26, 2004